

REMARKS

In response to the Office Action mailed March 24, 2006, Applicants respectfully submit the attached amendments and request reconsideration of the application. Claims 1, 3, 7, 10-13, and 16, of which claim 1 is independent, are currently pending in the application. Claim 1 is currently amended. Claims 3, 7, 13, and 16 were previously presented. Claims 10, 11, and 12 are the original claims. Claims 2, 4-6, 8-9, 14-15, and 17-20 have been canceled.

The Office has rejected claims 1, 3, 7, 10, 11, 13, and 16 under 35 U.S.C. § 102(b) as being anticipated by Herring, USP 5,535,928. The Office has also rejected claims 1, 3, 10, 11, 12, and 13 under 35 U.S.C. § 102(b) as being anticipated by Tari, USP 4,662,366. Applicants respectfully traverse the foregoing rejections, as claim 1 patentably distinguishes over these references for the following reasons.

Herring does not disclose or suggest several limitations of Applicants' claims. For example, Applicants first note that Herring is designed to hold a portable article, such as a telephone or pager, on a person's belt, and is incapable of functioning as a transducer holder, as recited in Applicants' claims. For example, in its "configured orientation," the holder of Herring includes a "bottom segment 35" that would interfere with the positioning of a plurality of transducers being held. See col. 3, l. 56 to col. 4, l. 5.

Second, the fasteners 14 and 60 of Herring are stitched on an opposite surface of the cross strap 12 relative to the article being held, and therefore Herring does not disclose or suggest, and in fact teaches away from, "each fastener fixedly attached to the second surface of the base at a central location on the fastener between the first

and second ends of the fastener."

Third, claim 1 has been amended to recite that the at least one strap is "fixedly" attached to one end of the base "to secure the base to the limb." In Herring, an individual's belt 54 is threaded through loop 50 and is not fixedly attached to the cross strap 12. In fact, the ability to reposition the holder (and article being held) along the belt 54 is an advantage of Herring in its intended field of use (holding a cellular phone). Further, in Herring the cross strap 12 extends away from the belt 54, leaving the distal end free, thereby allowing unacceptable movement of any transducers held by the device, further evidencing the fact that the teachings of Herring are inapplicable. Thus, Herring also does not disclose or suggest this limitation.

Fourth, claim 1 has been amended to recite that a plurality of fasteners arranged on the second surface of the base are for "respectively securing a plurality of transducers to the base." Herring clearly discloses that straps 14 and 60 are used in conjunction to hold a single article, not separate respective articles. Accordingly, Herring also does not disclose or suggest this limitation.

Fifth, claim 1 has been amended to recite that "the fasteners are arranged to be laterally offset with respect to one another across the base such that the plurality of transducers are substantially parallel with respect to one another when respectively secured by the plurality of fasteners." As disclosed in Applicants' figures, laterally offsetting the fasteners 72, 74, and 76 enables a plurality of transducers to be held in parallel on the base to permit the care giver ease of access to each transducer. Herring clearly discloses that fasteners 14 and 60 are laterally aligned with respect to one another, and in fact, the fasteners 14 and 60 of Herring could not function to hold the

article in Herring if they were laterally offset, as required by Applicants' claims. Thus, Herring also does not disclose or suggest this limitation, and in fact teaches away from the claimed transducer holder in this respect.

Tari is entirely inapposite. Tari discloses an arm support for immobilizing an arm, not for holding an article to an arm. In fact, Tari clearly discloses a catheter 13 that is *not* held by the arm support. See Fig. 2. Tari also does not disclose or suggest the following limitations: (1) a plurality of fasteners for respectively holding a plurality of articles (both straps 38 and 38' in Tari are for holding a single arm); (2) each fastener fixedly attached to the second surface of the base at a central location on the fastener between the first and second ends of the fastener, each end constructed and arranged to thread through an opening in a transducer assembly (the Tari fasteners 38 and 38' only have one free end configured to pass through a buckle 34 of the same fastener, and are not fixedly attached to 12 at a central location); and (3) laterally offset fasteners (like Herring, the straps 38 and 38' are not laterally offset, they are laterally aligned).

Accordingly, for all of the foregoing reasons, claim 1 patentably distinguishes over Tari and Herring, and should be allowed. The remaining claims depend from claim 1 and are allowable for at least the same reasons.


In view of the foregoing amendments and remarks, the Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any further extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 
Matthew Van Eman
Reg. No. 58,063